

Appl. No. : 10/091,381
Filed : March 4, 2002

REMARKS

This is in response to the Office Action mailed October 31, 2007.

By that Action, the Examiner indicted the rejection of Claim 8 under 35 U.S.C. § 102(e) as anticipated by Fowler (US Publication 2002/0026348). The Examiner indicated the rejection of Claims 1-4 and 9-11 under 35 U.S.C. § 103 as being unpatentable over Chancey (USPN 5,842,185) in view of Cohen (USPN 6,422,462). Lastly, the Examiner indicated the rejection of Claims 12-18 under 35 U.S.C. § 103 as unpatentable over Fowler in view of Chancey.

Applicant asserts that newly presented Claims 19-28 define over the cited prior art.

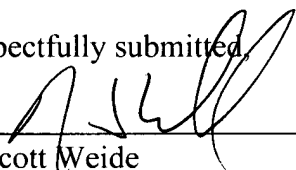
As indicated previously, Fowler discloses a marketing system which is directed to merchants. On the other hand, the invention as claimed is a consumer rewards program in which a consumer has financial accounts for making purchases of goods or services from vendors, where those transactions are categorized based upon criteria, where at least one rewards program is associated with each category, where transactions are matched to appropriate categories, and where rewards for the consumer are determined based upon the transactions for each category and the associated reward program rules. In this regard, Applicant asserts that the new claims are allowable over Fowler for similar reasons to Claims 1-7 and 9-18 previously asserted.

Chancey discloses assigning transactions to particular categories. However, as acknowledged by the Examiner, Chancey does not disclose providing rewards programs and associating programs with transaction categories. The Examiner asserts that this concept is disclosed by Cohen. Applicant disagrees. Cohen discloses the concept of using different financial cards or accounts for particular transactions. As an example, Cohen discloses that a \$600 purchase might be split \$200

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among each of three credit cards or accounts. (See Cohen at col. 11, lines 11-35). Of course, each of these different financial accounts might have its own terms and conditions. If one applies the teaching of Cohen to Chancey, the result is that a consumer might have different credit cards or accounts, and the transactions for each of those separate accounts may be categorized. However, neither Cohen or Chancey disclose associating different rewards programs with a plurality of different categories of transactions associated with a financial account, as now claimed.

Applicant asserts that new Claims 19-28 are in a condition for allowance and respectfully request a notice as to the same. If any matters remain outstanding, the Examiner is invited to contact the undersigned by telephone.

Respectfully submitted,
Dated: March 31, 2008 By: 
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